

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Roanoke Division**

JOSHUA LEE SMITH,

Plaintiff,

V.

TWIN COUNTY REGIONAL
HEALTHCARE, *et al.*

Defendants.

Case No. 7:22-cv-00238

STIPULATION OF PARTIAL DISMISSAL

Plaintiff Joshua Lee Smith, by counsel, and pursuant to Federal Rule of Civil Procedure 41(a)(2) hereby voluntarily dismisses the following claims against Defendant Maribel Rodriguez-Martinez, MD: the Eleventh Claim for Relief for Intentional Infliction of Emotional Distress, the Twelfth Claim for Relief for Negligent Infliction of Emotional Distress, and the Fourth Claim for Relief under the Americans with Disability Act (ADA). However, Plaintiff does not dismiss the Seventh Claim for Relief for Medical Malpractice.

It is further stipulated that each party shall bear their own attorneys' fees and costs as to these dismissed claims. This action shall continue to proceed as to all other Counts and Defendants with the exception of those matters explicitly dismissed above.

ENTERED this day of 2024.

Hon. Robert S. Ballou
United States District Judge

We ask for this:

/s/Aderson Francois

Aderson Francois (D.C. Bar. No. 498544)
(pro hac vice)

Nicole Molinaro Rheault (D.C. Bar. No.
1780028)

(pro hac vice)

Genevieve E. Mesch (D.C. Bar. No.
90008005)

(pro hac vice)

CIVIL RIGHTS CLINIC

GEORGETOWN UNIVERSITY LAW
CENTER

600 New Jersey Avenue NW, Suite 352
Washington, DC 20001

(202) 661-6506

(202) 661-6710

(202) 661-6721

Aderson.Francois@georgetown.edu

Nicole.Rheault@georgetown.edu

Genevieve.Mesch@georgetown.edu

/s/Joshua Erlich

Joshua Erlich (VSB No. 81298)

THE ERLICH LAW OFFICE, PLLC

2111 Wilson Blvd. #700

Arlington, VA 22201

Tel: (703) 791-9087

Fax: (703) 722-8114

jerlich@erlichlawoffice.com

Counsel for Plaintiff Joshua Lee Smith

/s/ Cynthia L. Santoni

CYNTHIA L. SANTONI (Va. Bar No. 23172)

Aneta Nikolic (Va. Bar No. 92432)

Blankingship & Keith, PC

4020 University Dr, Suite 300

Fairfax, VA 22030

(703) 691-1235

csantoni@bkclawva.com

anikolic@bkclawva.com

Attorney for Defendant Maribel

Rodriguez-Martinez, M.D.

/s/ Christopher Dadak

Christopher S. Dadak (VSB No. 83789)

Matthew J. Schmitt (VSB No. 96513)

GUYNN WADDELL, P.C.

415 S. College Avenue

Salem, Virginia 24153

Phone: 540-387-2320

Fax: 540-389-2350

Email: christopherd@guyennwaddell.com

matts@guyennwaddell.com

Counsel for Defendants Carroll County Sheriff,

Kevin A. Kemp, New River Valley Regional Jail

Authority, NRVJR Officers, CCSO Officers

/s/ Julian F. Harf

Julian F. Harf (VSB #90775)

Spilman Thomas & Battle, PLLC

310 First Street, Suite 1100 (ZIP 24011)

Post Office Box 90

Roanoke, VA 24002-0090

Phone: 540.512.1829

Fax: 540.342.4480

Email: jharf@spilmanlaw.com

Counsel for Defendant Hannah Williams, LPN

/s/ Coreen A. Silverman

Coreen A. Silverman (VSB No. 43873)

Eileen Geller (VSB No. 76764)

O'Hagan Meyer, PLLC

411 East Franklin Street, Suite 500

Richmond, Virginia 23219

csilverman@ohaganmeyer.com

egeller@ohaganmeyer.com
Tel: (804) 403-7100
Fax: (804) 237-0250

*Counsel for Defendant Twin County Regional
Hospital*

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of June 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing (NEF) to all counsel.

/s/ Genevieve E. Mesch
Genevieve E. Mesch